IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(*Special Original Jurisdiction*)

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THURSDAY, THE ELEVENTH DAY OF AUGUST

TWO THOUSAND AND FIVE

P R E S E N T

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.17591 OF 2005

Between:

Undavalli Rathaiah … Petitioner

Versus

The Mandal Revenue Officer,

A.Konduru, Krishna district. … Respondent

O R D E R :

This writ petition is filed questioning the notice RC/A/232/02 dated 6-7-2005 issued by the Mandal Revenue Officer, A.Koduru on the ground that an extent of Acs:4-41 cents of land in RS.No.352/2 situate at Chimalapadu village of A.Koduru Mandal was acquired under the land acquisition proceedings and the same was allotted to Sri Manda Deva Sahaam and other villagers of Chyimalapadu and directed the petitioner to appear before him on 12-7-2005 at about 11:00 a.m.

The case of the petitioner is that his father late Venkatramaiah purchased Acs:23-08 cents of land in survey no.352 under registered sale deed no.722/67 i.e., much earlier to the enactment of the A.P. Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 and after the death of his father, the petitioner is looking after the said lands. Further the Mandal Revenue Officer issued pattedar passbook in his favour and also in favour of his late brother. As such, the petitioner is enjoying the same till date.

The learned counsel for the petitioner submits that the grievance of the petitioner is

that the respondent issued impugned notice on the ground that the petitioner with the aid and assistance of some force trying to interfere with the assignees i.e., Manda Deva sahayam and others of Chemalapadu village and called upon the petitioner to be present in-person for enquiry on the said date. Originally, neither his father nor the petitioner surrendered any land to the authorities concerned. The learned counsel for the petitioner submitted across the bar that the petitioner appeared before the Mandal Revenue Officer, on 12-7-2005 and the matter is pending consideration.

The learned Govt.Pleader for Revenue contended that the respondent took possession of the land admeasuring Acs:4-04 cents in survey no.352/2 under the Land Reforms (COAH) Act and assigned to Manda Devasahayam and others of Chemalapadu village, after following the established principles of law.

After hearing the learned counsel for the petitioner as well as the learned Govt.Pleader, it appears that the impugned notice, which is under challenge is nothing but informing the petitioner to attend before the Mandal Revenue Officer, A.Koduru, for enquiry. By virtue of impugned notice, no prejudice will be caused to the petitioner. Therefore, I see no reason to interfere with the impugned notice. However, it is left open for the respondent to decide the matter on merits and in accordance with law.

The writ petition is accordingly dismissed at the admission stage. No costs.

AUGUST 11th, 2005. ----------

I S L. ELIPE DHARMA RAO , J.